

The Morning Astorian.

VOL. LVII.

ASTORIA, OREGON, SUNDAY, JANUARY 25, 1904.

NO. 100.

VAN HOUTEN NOT GUILTY SAYS JURY

Plea of Insanity Small Circumstance in Connection With Finding of the Favorable Verdict.

Acquitted Man Deliberately Shot Albert Young, Saloon Keeper For Alleged Offense.

ALLEGATION ABLY SUSTAINED

Jury Convinced That Victim of Shooting Had Broken up Family of Man on Trial For Murder.

Portland, Jan. 30.—David G. Van Houten, who deliberately shot and killed Albert Young, the saloon keeper who Van Houten alleged had alienated his wife's affections, was tonight found not guilty of murder. No reason was assigned in the verdict for the finding, but in an interview later, several of the jurors stated the verdict was arrived at not so much on the plea of temporary insanity as the almost undisputed evidence that Young had broken up Van Houten's family.

The first thing this morning the defense called Van Houten to the witness stand, and amid a silence throughout the dense throng Attorney Logan asked him if he recalled the last time he saw Albert Young alive. In a low, weak voice Van Houten said he remembered seeing him standing before him and of talking to the door. He said something more about hearing of Young's illicit relations with his wife, and the defense gave leave to cross-examine. District Attorney John Manning asked him various questions, with a view to determining his powers of recollection, but Van Houten seemed to remember little of anything. He left the stand with tears streaming down his face and his hands over his eyes.

Then the defense called witnesses to show the good reputation for sobriety, peace and quiet of Van Houten. E. E. Sieret said his reputation was good. So did Deputy Sheriff Penumbra Kelly. Likewise testified Hecate G. Lake, an attorney-at-law. Mrs. L. M. Doey said his reputation was good, and that

he was the bread-winner of the family. E. K. Cook said Van Houten's reputation was awful good, and that he supported his wife, Schuyler Jones, a farmer of Gresham, had known him 15 years, and his reputation was good. Roy Mercer testified that the accused man's reputation was very good, and here the defense rested.

READING OF THE VERDICT.

Friends Embraced Van Houten in the Court Room.

Portland, Jan. 30.—(Special)—Shortly after 8:30 o'clock the jury determined that Van Houten was an innocent man and communicated to Clerk Johnson that the verdict had been reached. Judge Sers was at once sent for and the defendant was ushered from his cell in the jail.

The news spread through the corridor and out into the streets where dozens of Van Houten's friends, and people with active curiosities, were in waiting. By the time Judge Sers and the prisoner were on hand, the room was crowded to the doors and Van Houten walked into the room in charge of a deputy sheriff, laboring under great excitement. The jury was already seated, when foreman Hanfield handed the sealed verdict to Clerk Johnson. The court ordered Van Houten to stand up. He arose and stood staring blankly in front of him.

"We, the jury, find the defendant, David G. Van Houten, not guilty," read the clerk, unfolding the ballot. The defendant stood for a full minute as if in a trance. He was the center of attention for every eye and not until he turned to his aged father and his face broke into a smile was the hush in the court room broken. Then his friends thronged about him to offer congratulations. Several threw their arms about his neck and embraced him. Van Houten left the court room very shortly after expressing his thanks to the jury and the court and to his friends.

Will Pray For Rain.

Los Angeles, Jan. 30.—Special prayers will be offered in most of the churches in this city tomorrow in an appeal for rain. Several leading Protestant clergymen of Los Angeles, including Bishop Johnson, have joined in an open call to the various congregations asking for united prayer.

Funeral of Mrs. Clark.

New York, Jan. 30.—Funeral services for Mrs. Charles W. Clark, daughter of Senator W. A. Clark, were today at the home of Senator Clark, at 175 West Fifty-eighth street. The Rev. E. Stines conducted the funeral services there and at St. Thomas' church afterward, and the body was then taken to Woodlawn cemetery for interment.

NOW IS JAPAN'S CHANCE TO ACCOMPLISH MUCH IN INTERESTS OF PEACE

High Official of Russian Government Gives Out Statement to Effect That Peace Proposals Are Timely.

News That European Country Is Entering Troops at Antung Contradicted, Belief Being That Report Is Made to Cause Friction Between United States and Russia—Ambassador Scott Is Optimistic.

St. Petersburg, Jan. 30.—"It will be astonishing if Japan remains inflexible," were the significant words of an official of the foreign office to the Associated Press this afternoon in speaking of the Russian reply to the Japanese proposals which will be dispatched to Tokio next week.

The reply was not intended to convey the idea that Japan necessarily will accept the full details of the Russian propositions, but rather that if she is actuated by a sincere desire to preserve peace, Russia will offer a reasonable basis in modus vivendi.

The report that a thousand Russian troops are to occupy Antung is contradicted, it being intimated that this is one of the open ports of the United States. The report might have been put out to arouse a renewal of the

hostile feeling in the United States. It has been ascertained by the Associated Press that there was practically no division in sentiment among the emperor's advisors at Thursday's meeting.

An unsuccessful effort has been made at the British embassy here to confirm the report cabled to the state department at Washington from Tokio that Ambassador Scott had pronounced the reply to be made by Russia to the last Japanese note as satisfactory.

It is known, however, that Ambassador Scott has expressed a hopeful feeling, based on the emperor's New Year's declaration.

At the Japanese legation the present moment is regarded as critical and there is no evidence to the belief that the reply will be acceptable.

Painful Ordeal In Minnesota

Thirteenth Battery Camped Out When It Was Cold And Nearly Froze.

Walla Walla, Wash., Jan. 30.—According to letters received here from members of the Thirtieth battery, field artillery, who were removed from Fort Walla Walla last fall to new quarters at Fort Snelling, Minn., the battery men have been undergoing terrible experiences at the Minnesota town, where they found the additional buildings required for their accommodation incomplete and an existence in tents staring them in the face.

The men, who left here but scantily provided with clothing at the best, have been subjected to a temperature varying from freezing point to below zero. Compelled to live in small canvas tents, it was necessary for some one of the four occupants of each tent to stay awake all night to keep a fire burning in their small stove. Sometimes, with the stove heated to its full capacity, water in pails a few feet away would freeze. Cooped up in the tents by day because few of them had clothing suited to the windy plains outside, and spending sleepless nights because of the cold and the watches necessary, the men say they have had a cheerless time of it, and that they many a time wished themselves back in comfortable quarters at Fort Walla Walla.

The officers were comfortably housed in the quarters of the cavalry and infantry officers, but they join with the men in complaining of the hardships to which the latter were subjected. As a result, several of the battery men are reported ill with pneumonia. The responsibility for these conditions, which have just ceased owing to the men getting in new quarters, is placed at headquarters.

Club Arranges Boxing Meet.

New York, Jan. 30.—Plans are under discussion for a match between Tommy Ryan and Jack O'Brien for a 15 or 20-round fight and the middle-weight championship. The Yosemite Athletic Club, of San Francisco, is understood to have already made an offer for the fight. Both men are anxious to settle the question of superiority, having expressed a willingness to meet anywhere.

New System For Signalling.

San Francisco, Jan. 29.—The Southern Pacific Company is preparing to install a block system in signalling on the mountain division of its northern route. The work will be completed as soon as possible.

Patriot's Wife Gets Fortune

San Francisco Woman Divides Wealth Between Relatives and Church.

San Francisco, Jan. 30.—Mary Davitt, wife of Michael Davitt, the Irish patriot of Dalkey, Dublin county, Ireland, and Archbishop Riordan, of San Francisco, will share the estate of the late Mary Canning, who was buried yesterday. She leaves an estate of \$78,000 in cash on deposit in the Oakland Bank of Savings and her home at 16th and Myrtle streets, in this city valued at more than \$15,000.

Her will was filed this afternoon by Attorney Garret McEnerney, of San Francisco, named as executor in the will, for special letters of administration, which were granted by Judge W. E. Greene.

The will was signed on the fourth of last month and provides as follows: "I give one half of my estate to my niece, Mary Davitt; I give the other one half of my estate to the Roman Catholic Archbishop of San Francisco, to be used by him in founding and maintaining a home for the aged poor in the city of Oakland, to be conducted, if practicable, by the little sisters of the poor. If any of my estate given in the will should fall or be invalid, then in that event I give the same to George Montgomery, 1100 Franklin street, San Francisco."

SECOND PAYMENT OF MILEAGE STRIKE OUT

Washington, Jan. 30.—The house today voted unanimously to strike from the urgent deficiency bill the provision for the second payment of mileage to senators and representatives of this congress, and then passed the urgent deficiency bill.

Argument on a point of order that the item was not authorized by law, turned on the question whether this was the second session of congress or merely a continuation of the first session convened November 9 on the call of the president. Messrs. Fuller, of Illinois, and Cooper (republican), of Wisconsin, contended there had been two sessions, while Parker, of New Jersey, insisted that no new sanction had been given for the meeting on December 7 the status of the session was not altered.

Tawney (republican), of Minnesota, as chairman of the committee on the whole, in a carefully prepared opinion, over-ruled the point of order against the appropriation, saying that the preliminary question as to whether

the existing law authorized the payment of mileage was the point to be decided by him, and the question as to whether mileage should be received was for the committee to decide.

An amendment by Governor providing a return of the mileage to the treasury was agreed to. Underwood's motion to strike out the provision for mileage was then adopted without a dissenting vote. The bill passed the house just as it came from the committee of the whole.

Russian Student Punished.

St. Petersburg, Jan. 30.—Two years imprisonment and perpetual exile to Siberia is the sentence imposed on a Moscow student, named Andrieff, for assaulting a Russian general in the streets of Kazan.

"There goes the cockaded scamp; those generals are all rascals," shouted Andrieff, who accompanied his insults with blows on the officer's back.

The sentence of imprisonment and exile was passed by what is known as "Administrative order," used in cases of special emergency.

Bulgarians Are Destitute.

Boston, Jan. 30.—The American board made public today a report from Missionary J. F. Clarke, of Samokov, Bulgaria, on relief work in Bulgaria, in which Mr. Clarke says the official record of refugees is more than 23,000. Those best able to know, say that companies from various villages which are continually crossing the mountains, braving the cold and deep snow, will swell the number to 30,000.

Mr. Clarke says he had personally visited 21 places where refugees are located, and has found destitution very great. The central government is supplying bread or flour to those in need.

Big Men Wrestle.

London, Jan. 30.—In the Graceo-Roman wrestling match at Olympia tonight for the championship of the world, for a purse of \$10,000 and a side bet of \$500, George Hackenschmidt, a Russian, won first fall within one minute from Ahmed Madrali, a Turk. Madrali's arm was dislocated at the elbow by the fall and Hackenschmidt was declared winner of the bout.

Both men took the mat apparently in the pink of condition. Hackenschmidt weighing 208 pounds and the Turk 224.

Everett, Wash., Jan. 30.—A committee of eight members of the Norwegian church will raise funds for the relief of the fire sufferers of Aalesund, Norway. Fifty former residents of Aalesund now live here.

AMERICAN WOMAN IS AT LIBERTY

Mrs. Maybrick Quietly Released From English Prison After Long Years Spent There.

Two Days Previous to Her Release Prisoner's Mother Visited Her With Glad Tidings.

SERVING SENTENCE FOR LIFE

Is Now Near London Where She Will Remain For a Time to Recuperate—Rewarded For Good Behavior.

London, Jan. 31.—Lloyd's Weekly Newspaper says this morning that Mrs. Florence Maybrick, the American woman who has been serving a life sentence for having poisoned her husband, was released from the Aylesbury female prison at 6:45 o'clock on the morning of January 25 on a special license. Her mother, the paper says, had visited her Saturday, January 23, and evidently was the bearer of important news. The governor of the prison Sunday conferred with the prison officials with a view to arranging for the departure of the prisoner, which was carried out very quietly.

Mrs. Maybrick, accompanied by one of the prison matrons, entered a closed carriage and drove to Aylesbury station, where she took a train for London. She drove from Euston station and from there went to a private house not far from the metropolis. She will remain there for a short period in order to recuperate and to await the completion of certain formalities which will give her freedom of movement not allowed by persons on ordinary ticket of leave.

Mrs. Maybrick, the paper concludes, during the last few months in prison was employed in the lightest work, as a reward for good conduct.

London, Jan. 30.—A receiving order in bankruptcy has been granted against the widow of Charles Stewart Parnell.

"If You Want Anything Good Go To Dunbar's"

Keep the Ball Rolling

We are pleased with the result of our January Clearance Sale, because it was the greatest success in the history of our store. Now we offer the **Odd Sizes, Broken Lots and Remnants at One-Third the Original Price**

There is a world of good to be had from it. There's quality, lots of it, and remarkably low prices.

The A. Dunbar Co.

566 Commercial Street.

The Lowest priced store in Astoria for fine goods.

LATEST MARCH TWOSTEP

"Social Whirl"

J. N. GRIFFIN.

Groceries, Hardware, Ship Chandlery, Paints, Oil and Glass--Hardwood Lumber Boat Supplies etc.

AT

FISHER BROTHERS

Cor. Bond and 12th Sts. Astoria, Oregon

20 PER CENT REDUCTION

On Clothing, Furnishing Goods, Hats, Shoes, Etc.

Excepting only Dunlap Hats, E. & W. Collars, Oil and Rubber Goods and Dents Gloves.

THIS MEANS A GREAT SACRIFICE as our goods are sold on very close margins.

SALE COMMENCES

Monday, January 4, 1904.

P. A. STOKES